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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,452	12/05/2001	Graeme John Proudler	B-4277PCT	9816

7590 07/10/2003

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EXAMINER

DO, THUAN V

ART UNIT

PAPER NUMBER

2825

DATE MAILED: 07/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/913,452		Applicant(s) PROUDLER ET AL.	
	Examiner Thuan Do		Art Unit 2825	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-10, 12-17 and 22-43 is/are pending in the application.

4a) Of the above claim(s) 11 and 18-21 is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-10, 12-17 and 22-43 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 05 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner. *draft person*

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>6, 8, 9</u>	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6) <input type="checkbox"/> Other: _____
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DETAILED ACTION

1. Claims 1-10,12-17,22-43 are pending in this office action. Claims 11, 18-21 have been canceled.

Claims

Claim 1, lines 2-3 the terms : "... the trusted device... a true value of an integrity metric...", and

claim 12, line 8 the term: "... a challenge ...".

claim 15, lines 5,6 the term: "... to verify the integrity metric and the nonce...".

claim 22, line 5 the term: "... device is adapted ...".

Clarification, precision or correction is required.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Oaths

The missing signatures of Graeme John Proudler, Dipankar Gupta, Liquan Chen and Siani Lynne Pearson will be required in the next response.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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2. Claims 1-10,12-17,22-43 are rejected under 35 U.S.C. 102(b) as being unpatentable over Jerger et al., Pat. No. 6,473,800.

Regarding claim 1: Jerger teaches an apparatus comprising, mounted on an assembly, main processing means, main memory means and a trusted device, each being connected for communication with one or more other components on the assembly (Figure 1) , the trusted device being arranged (Figure 1) to acquire a true value of an integrity metric of the computing apparatus (col. 6, lines 8-41 where the true code value of integrity is extracted, compared and verified by the computing apparatus of figure 1).

Regarding claims 2-10: These claims teach a similar apparatus of claim 1 and rejected in a similar manner.

Regarding claim 12: Jerger teaches a method comprising:

the trusted device acquiring the true value of the integrity metric of the trusted computing apparatus (Figure 1) ;

the user generating a challenge for the trusted computing apparatus to prove its integrity and submitting the challenge to the trusted computing apparatus (col. 5, line 52 through col. 6, line 7 where the challenge is performed by the user's code verification) ;

the trusted computing apparatus receiving the challenge, and the trusted device generating a response including the integrity metric and returning the response to the user apparatus (col. 5, line 52 through col. 6, line 7 where the receiving and response are performed by executed instruction through user's requested permission) ; and

the user receiving the response, extracting the integrity metric from the response and comparing the integrity metric with an authenticated metric for the trusted computing apparatus that had been generated by a trusted party (col. 6, lines 8-41 where Jerger uses the function of "the requested permission set is extracted from the signed code package or catalog file and then compared to the user's permission sets").

Regarding claim 13: Jerger teaches a method with security algorithm (col. 28, lines 16-32 using mathematical transformation).

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Regarding claims 14-17: These claims teach a similar method of claim 12 and rejected in a similar manner.

Regarding claim 22: Jerger teaches computing apparatus comprising an assembly; a main processor, a main memory and a trusted device, each being mounted on the assembly and connected for communication with other components mounted on the assembly, wherein the trusted device is adapted to acquire a value of an integrity metric (figure 1 and col. 6, lines 8-41) that measures that the computing apparatus is operating as intended and determining the correctness of the acquired value of the integrity metric (col. 68, lines 34-41 for correctness determination) .

Regarding claims 23-43: These claims teach a similar apparatus of claim 22 and rejected in a similar manner.

CONTACT INFORMATION

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan Do whose telephone number is 703-305-2362. The examiner can normally be reached on Monday-Friday 8:30-5:30 (except 2nd Fridays).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Smith can be reached on 703-308-1323. The fax phone numbers for the organization where this application or proceeding is assigned are 703305-3431 for regular communications and 703-305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0596.



Thuan Do
Patent examiner
6/26/03